

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 08 C 2481
)	
MARTEK HOLDINGS, INC. (D.B.A)	
MASCON INFORMATION)	Judge Matthew Kennelly
TECHNOLOGIES, LTD.),)	
)	
Defendant.)	

**UNITED STATES' *EX PARTE* MOTION FOR
ENLARGEMENT OF TIME FOR SERVICE OF SUMMONS AND COMPLAINT**

The United States, by its attorney, Patrick J. Fitzgerald, United States Attorney for the Northern District of Illinois, requests an additional 60 days to effectuate service and file proof of service of process of the summons and complaint pursuant to Rules 4(m) and 6(b) of the Federal Rules of Civil Procedure. In support, the United States submits that there is good cause for service not being made within 120 days after filing of the complaint.

1. After the filing of the complaint, the defendant was sent a Notice of Lawsuit and Request for Waiver of Service for Summons; the waiver form was never returned.
2. Although due diligence has been exercised, the United States Marshal's Service may be unable to effectuate service by August 29, 2008, within 120 days after the May 1, 2008 filing of the complaint.
3. The additional time is necessary in order to allow the United States Marshal's Service to perfect service of process.

WHEREFORE, the United States requests an additional 60 days, to and including October 28, 2008, in which to effectuate service and file proof of service of the summons and complaint upon the defendant.

Respectfully submitted,

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